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Second, file on 320 as a homestead—no charge for the land but entryman must reside upon the homestead seven months each year for three years and raise a crop on 20 acres the second year and have 40 acres in crop the third year.

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There are hundreds of such locations now open to entry. If you want one of these ranches write me today for map and particulars.

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Another Version of the Affair

another version of the affair 18 pt—The following article from the Oshkosh Herald of November 29th gives a different version of the James Murphy trial than has been given through some of the newspapers. Oshkosh is the county seat of Garden county, where the trial was held:

Jas. Murphy Acquitted

The State vs. Jas. Murphy case before the district court last week attracted a great deal of interest in this community and was the center of heated partisanship among the friends and neighbors of both plaintiff and defendant. The case occupied the greater part of the session of court, taking up the first four days of the week. Each setting of the court during the trial was attended by a well filled court room. As in the past, the opera house was brought into commission for holding court. We shall attempt to give the testimony brought out by both the state and the defendant from their several witnesses in a connected account of the stories of the affair.

James Murphy was charged by C. H. Tully with the stealing of a steer. Mr. Murphy is a young man living on a homestead just south of Lakeside with a young wife and baby. From what the neighbors report he has a good reputation and some staunch friends who are firm believers in his innocence. Chas. H. Tully is well known among the old settlers and cattle men of this section and needs no introduction. He is one of the largest ranch owners in western Nebraska, his range taking up the greater portion of the north part of this county and the southern portion of Sheridan county besides owning a ranch up in Cherry.

The story of the state as affirmed by its witnesses was to the effect that Jas. Murphy had sold a hide to Willis Crothers, the Lakeside merchant, on the tenth day of December, 1911. News of the defendant's selling a hide was brought to the attention of C. H. Tully at Alliance, who, several days later, came and secured the hide, returning to Alliance with it. That Jas. Murphy in selling the hide remarked to the merchant that the hide had been torn and mutilated by his hounds, and that he had cut out the ragged parts. That the hide was placed by the merchant in the granary. Mr. Tully discovered after returning to Alliance upon close examination of the hide that an old Box A brand could be made out on the left side, and further that a piece had been cut out of the left hip. That he, Tully, had purchased a bunch of cattle bearing the Box A brand from a cattlemen named Wolfe some time before and that he had branded them on the left hip with his own brand, the Dutch Y. One of these steers had been seen a number of times during the summer and fall in the vicinity of Jas. Murphy's, having strayed from the bunch. On the eighth day of last January, Tully went to the home of Murphy with the sheriff of Sheridan county and made the arrest, taking the defendant to his ranch at Pawlett, that night and going to Rushville the following day for the hearing. At the time of making the arrest an examination of the premises was made for further evidence, but nothing found. On passing by the place next morning further investigation was made with the result of Tully finding a piece of the nose skin on the top of the chicken house. The case being out of the jurisdiction of the Sheridan county court Sheriff New of that county brought the defendant on down to Oshkosh where he was later bound over to the district court.

County Attorney R. E. Williams had his son, Paye, of Bridgeport, and Atty. Barker, of Alliance, assist in prosecuting the case. The counsel for the defense at the opening of the trial after the empanelling of the jury attempted to throw the case out on an alleged technicality in the drawing up of the complaint but the court after a short hearing overruled the motion.

The defense admitted that he had killed a steer on the ninth day of December and sold the hide to Mr. Crothers in Lakeside the following day. But that the hide of the steer he killed and that he had sold was of a lighter red color than that of the hide exhibited by the state as being the one he had sold. The defendant was owing the Lakeside storekeeper a small bill, and the latter had intimated that he would be glad to accept a quarter or two of beef to apply on the account. So Murphy carried his bunch of cattle, about eighty head, and endeavored to cut out a heifer for slaughter and to let the balance of the herd out of the corral. But the heifer persisting in an attempt to get out also, enraged him (Murphy) and losing his temper he threw a hand axe at the animal but missing it he struck a steer on the fore leg breaking the bone. So he butchered the steer, instead. Just after he had killed the steer, Rochford, his neighbor, happened along to get some well drilling tools or pipes and who said that he saw plainly his own brand on the right side or hip. That Murphy had purchased a number of cattle from this man Rochford with the latter's brand on them and that he had branded all but five with his own brand, these not being with the bunch at the time and that this was one of the steers without the hung carcass up outside and put the hide in a manger of his barn and locked his hounds up in the barn to keep them away from the meat.

That the next day he took some of the meat and the hide to Lakeside and sold to Crothers, and that he told Crothers that the hide had been torn by the dogs and that he had trimmed off the mutilated edges and asked for an examination of same. That the merchant did not examine the hide but placed it in his warehouse. That the strip of hide found on the chicken house surely must have been seen if it had been on the roof the afternoon the search was made by the sheriff and the others. That a heavy snow fell during the night, and upon the morning when the officer and party returned Tully discovered the hide almost immediately, as was testified by the state.

The defendant had for his counsel

Judge J. C. Sullivan of Broken Bow and Atty. Wm. Mitchell of Alliance. His mother, wife and brothers and sisters were, down and attended the trial. The case seemed to lack evidence on both sides. What evidence the state had was purely circumstantial which was rather disconnected, and with several important links missing. The jury was out hardly an hour bringing in the verdict of acquittal.

BABIES IN SHOW RING

Stock Show Will Introduce a Section in Eugenics

Several weeks ago a prominent scientist declared in a public lecture that more progress was being made in the development of hogs than of humans. This statement was heralded far and wide by the press, and while it was easy to prove that much improvement had been made in the development of hogs, there is no data at hand to show whether any improvement has been made in the development of the human race or not.

In order to secure some data in this direction, the National Western Stock Show has decided this year to introduce in the show a department of Eugenics. The term "Eugenics" is a modern word and means better breeding of humans. The Stock Show Association will include in this section of the show an exhibit of charts showing the Mendelian Law of Heredity, a child's welfare exhibit and a child's health exhibit. The latter department is in fact a baby show, but not the old-style baby show, where the best looking and happiest baby, carried off the prize, but a competition where the babies will be judged for physical perfection. There will be three divisions in this contest: One for babies from the country, which includes towns up to 2,000 population; another division for cities of 2,000 to 10,000 population, and the other for babies from cities over 10,000 population. The babies entered in this contest will be first examined by a corps of women physicians and will be scored according to the standard recently adopted, and on Friday of show week they will all be gathered in the Stock Show in the ring, when the judging will take place.

In order to give the babies all over the country an opportunity to compete, it is planned to hold local contests in various sections of the state, and send the winners to Denver to compete in the big contest. It is expected that some very valuable data will be secured from this contest and it is intended to hold similar contests in other parts of the country, and eventually parents will be able to know what constitutes a standard in the development of their children, and if any child is below standard in any portion of its body steps can be taken while it is still young to properly develop it.

It is believed that this feature of the big stock show will be of very great interest and like all other features of the show is intended to be educational in its effect. Dr. Mary Elizabeth Bates of Denver will be superintendent of this section, and Mrs. Mary E. Watts of Audubon, Ia., who was instrumental in starting the contest in Denver and assist in the Denver show. The Mothers' Congress of Colorado, the Women's Club, and other organizations are interested in this feature, and it is intended to make it of great practical interest.

MAKES RAPID HEADWAY

Add This Fact to Your Store of Knowledge

Kidney disease often advances so rapidly that many a person is firmly in its grasp before aware of its progress. Prompt attention should be given the slightest symptoms of kidney disorder. If there is a dull pain in the back, headaches, dizzy spells or a tired, worn-out feeling or if the kidney secretions are offensive, irregular and attended with pain, procure a good kidney remedy at once.

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Advertisement 1-2t
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Porter Baker was demonstrating his new "alarm dam," a boon to irrigators. It works on a plan that you set your dam and then set the alarm clock to run as long as you want to keep the water in the same place, when the alarm goes off it releases a bar that allows the canvas to swing out and let the water pass on through to the next dam. They are sure to prove a great success, and we are glad to have a man in our neighborhood with such a great "bump of inventiveness" as Mr. Baker has.—Morrill Mail.

The Skin and Not the Blood/
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Advertisement 52-4t

Read The Herald's big premium offer on page 2.

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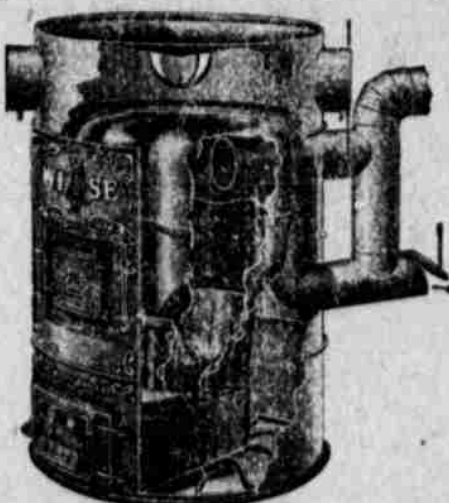
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